ing, Irrigation and Drainage, to whom was referred

S. B. No. 49, A bill to be entitled "An Act amending Article 8225, Revised Civil Statutes of 1925, as amended by Chapter 27, General Laws, Fourth Called Session Fortyfirst Legislature, as amended by Chapter 21, General Laws, Second Called Session, Forty-second Legislature, prohibiting mineral development on coastal lands used for navigation purposes so long as said lands are used for navigation purposes by any navigation district or by the United States government, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

EIGHTEENTH DAY.

Senate Chamber, Austin, Texas, September 20, 1932.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Oneal. Berkeley. Parr. Parrish. Cousins. Patton. Cunningham. DeBerry. Poage. Pollard. Gainer. Hardin. Purl. Holbrook. Rawlings. Houkins. Small. Hornsby. Stevenson. Thomason. Lov. Martin. Williamson. Woodruff. Moore. Woodul. Neal.

Absent-Excused.

Greer. Woodward.

Prayer by the Chaplain.

Pending the reading of the Jurnal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Senator Excused.

On motion of Senator Loy, Senator Russek was excused for the day on account of important business.

Senate Simple Resolution No. 33.

Senator Oneal sent up the following resolution:

Whereas, The State of Texas has a large amount invested in the two pictures hanging in the rear of the Senate Chamber, known as "Dawn at the Alamo" and "The Battle of San Jacinto": and

San Jacinto"; and,
Whereas, There is a great danger of injury to said pictures unless they are protected by brass rails placed in front of the same. so as to prevent persons, through carelessness, from injuring them by placing their hands upon the surface thereof or striking them with canes or umbrellas or otherwise; and,

las or otherwise; and,
Whereas, Any injury to said pictures would be a great loss to the
State of Texas; therefore, be it

Resolved by the State of Texas That the Board of Control be instructed to have placed in front of said pictures suitable brass rails, such as to protect them from injury, and that the cost of said brass rails and the placing of same be paid for out of the contingent expense of the Forty-second Legislature.

ONEAL.

Read and adopted.

Messages From the Governor.

Executive Office, Austin, Texas, Sept. 19, 1932. To the Members of the Forty-second Legislature:

I understand that House Bill No. 100, copy of which is hereto attached, was introduced several days ago, and now is out of the commit-

tee on a favorable report.

I have talked with citizens living in the water control district affected and, I understand that the recent floods in the Rio Grande River destroyed much property and it will

be impossible for the water district to rebuild and rehabilitate its properties unless legislative relief is afforded by means of which the catastrophe can be overcome.

I, therefore, hereby submit this bill for your consideration.

Respectfully,

R. S. STERLING, Governor.

Executive Office,
Austin, Texas, Sept. 19, 1932.
To the Senate of the Forty-second
Legislature:

I have appointed Hon. Charles I. Francis of Wichita Falls, Texas, as a member of the Board of Regents of The University of Texas, to succeed Hon. W. M. Odell of Fort Worth, resigned.

I have also re-appointed Hon. George E. Shelly of Austin, Texas, to succeed himself as a member of the State Library and Historical Commission, for the next ensuing statutory term.

Respectfully submitted,

R. S. STERLING, Governor.

Read and referred to the Committee on Governor's Nominations.

Executive Office, Austin, Texas, Sept. 19, 1932. To the Members of the Senate of the Forty-second Legislature:

I have appointed Hon. P. O. French of Fairfield, Texas, as District Attorney of the Seventy-seventh Judicial District of Texas, to succeed Hon. Sam McCorkle, resigned, and submit his name herewith for your confirmation.

Respectfully submitted, R. S. STERLING, Governor.

Read and referred to the Committee on Governor's Nominations.

Conference Committee Report.

Senator DeBerry sent up the following Conference Committee report:

Committee Room,
Austin, Texas, Sept. 20, 1932.
Hon. Edgar E. Witt, President of the
Senate,

Hon. Fred Minor, Speaker of the House of Representatives,

Austin, Texas.

Sirs: We, your Free Conference Committee appointed to adjust the differences between the Senate and

the House on S. B. No. 44, have had same under consideration, and beg to report back with the recommendation that it do not pass, but that the attached bill do pass.

DeBERRY, RAWLINGS, POAGE, BERKELEY, WOODUL,

On the part of the Senate.

McCOMBS,
BECK,
YOUNG,
HUGHES,
On the part of the House.

S. B. No. 44.

A BILL To Be Entitled

An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Also cities, towns and villages, provided said taxes are paid on or before December 31, 1932; and providing further, that the provisions of this Act releasing interest and penalties shall not apply to cities, towns, and villages unless and until the governing body thereof finds that unusual or excessive defaults in the payment of taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body by resolution, or ordinance, evidencing such finding and recording the same shall have the authority to put in force and effect the provisions hereof as to such cities, towns, and villages; suspending all laws and parts of laws in conflict herewith during the term of this Act is in force; and providing further that, if any section, clause, sentence, paragraph, or part of the Act is adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Act; re-

pealing Senate Bill No. 3, passed at the 3rd Called Session of the 42nd Legislature; and declaring an emergency, and providing that this Act shall take effect and be in force from and after its passage.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued or that may accrue on ad valorem and poll taxes that are delinquent on or before December 31, 1932, due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages), shall be and the same are hereby released, provided, said ad valorem and poll taxes are paid on or before December 31, 1932. It is provided that the provisions hereof shall not apply to cities, towns and villages unless and until the governing body of any such city, town or village finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution. or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any such city, town or village.

Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this Act so far as they may affect this Act

Sec. 2a. It is provided further that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act. but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which removing said county from the Fifth

judgment shall have been said rendered.

Senate Bill No. 3, passed Sec. 3. at the 3rd Called Session of the 42nd Legislature is hereby in all things expressly repealed.

Sec. 4. The fact that millions of dollars in taxes are now due and have been due to the State and its subdivisions for many years past by people who would meet their obligations to the State Government if the unreasonable costs and penalties and interest were omitted, creates an emergency and an imperative public necessity demanding that the Constitutional Rule which requires all bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and said Act shall be in force and take effect from and after its passage, and it is so enacted.

Read and adopted by the following vote:

Yeas-27.

Oneal. Beck. Berkeley. Parr. Cousins. Parrish. Cunningham. Patton. DeBerry. Poage. Purl. Gainer. Hardin. Rawlings. Holbrook. Small. Hopkins. Stevenson. Hornsby. Thomason. Loy. Williamson. Woodruff. Martin. Moore. Woodul. Neal

Absent—Excused.

Greer. Russek. Pollard. Woodward.

Messages From the House.

Hall of the House of Representatives, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 89, A bill to be entitled "An Act amending Article 198, Title 8. Revised Civil Statutes of 1925, as amended by Chapter 51 of the Acts of the Forty-first Legislature at its Regular Session, by providing that Ellis County shall be a part of the Tenth Supreme Judicial District and

Supreme Judicial District; and providing for the appeal of cases from Ellis County to the Court of Civil Appeals for the Fifth Supreme Judicial District prior to January 1, 1933; and for the appeal of cases from Ellis County to the Court of Civil Appeals for the Tenth Supreme Judicial District subsequent to January 1, 1933."

H. B. No. 95, A bill to be entitled "An Act to better provide for the conservation, preservation, and development of all of the natural resources of this State, in pursuance of the provisions of Section 59, of Article XVI, of the Constitution of Texas; and creating, constituting, and establishing the Texas State Conservation and Reclamation District No. 1, under and in pursuance of said provisions of the Constitution; and defining the boundaries thereof; and the powers, duties, functions, rights, and privileges thereof; and providing for the directors, officers, assistants, and employees thereof, their manner of selection, and prescribing the duties and compensation thereof; providing that said district shall have no power to pledge or use the credit of the State in any manner, and no power to levy, assess, or collect any ad valorem taxes. and no power to issue any bonds, notes or other obligations, to be paid by the proceeds of the levy of any ad valorem taxes by said district. etc., and declaring an emergency.'

(With engrossed riders.)

S. B. No. 42, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities in the State of Texas having a population of more than one hundred thousand (100,000) according to the last preceding United States census, and declaring an emergency.'

(With amendments.)

S. B. No. 48, A bill to be entitled "An Act making it an offense for any lessee, assignee or holder of any oil or gas lease, or interest therein. who without the consent of the person entitled to any part of the oil produced from said lease or proceeds realized from the sale thereof, shall fraudulently convert the same to his own use and benefit with intent to deprive the owner of the value of same, shall be guilty of theft and shall be punished as pre-

of like property, and declaring an emergency.'

(With amendments.) Respectfully submitted,

LOUISE SNOW PHINNEY. Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. B. No. 41, A bill to be entitled "An Act limiting the compensation of precinct, county or district officers to \$6,000 per year; providing for an accounting of fees and other compensation; repealing conflicting laws; fixing effective date of bill, and declaring an emergency.'

H. B. No. 65, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of one (\$1.00) dollar only shall be collected on every person between the ages of 21 and 60 years; making certain exceptions; and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay, and declaring an emergency.'

H. C. R. No. 15, Relative to State Highway policy.

H. B. No. 84, A bill to be entitled "An Act preventing punishment for violation for illegal injunctions."

(With engrossed rider.) Respectfully submitted,

LOUISE SNOW PHINNEY, Chief Clerk, House of Representatives.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 34.

H. B. No. 81.

S. B. No. 48.

Motion to Concur.

Senator Woodruff moved to concur in House amendments to S. B. No. 48.

Senator Purl moved as a substitute scribed in the Penal Code for theft that the Senate do not concur and that a Conference Committee be requested.

The substitute motion was lost by the following vote:

Yeas-11.

Berkeley. Cunningham. DeBerry.

Moore. Parr. Purl. Rawlings.

Gainer. Hornsby.

Williamson.

Lov.

Nays-13.

Beck. Cousins. Holbrook.

Pollard. Small. Stevenson. Thomason.

Hopkins. Neal. Oneal.

Woodruff.

Woodul.

Poage.

Absent-Excused.

Greer.

Russek.

Martin.

(Pairs Recorded.)

Senator Hardin (present) who would vote yea, with Senator Patton (absent) who would vote nay.

Senator Parrish (present) would vote yea, with Senator Woodward (absent) who would vote nay.

The motion to concur prevailed by the following vote:

Yeas-25.

Beck. Berkeley. Cousins.

Parr. Parrish. Poage. Pollard.

Cunningham. DeBerry. Gainer.

Purl. Rawlings. Small.

Hardin. Holbrook. Hopkins.

Stevenson. Thomason. Williamson.

Loy. Moore. Neal. Oneal.

Woodruff. Woodul. Woodward.

Nays-1.

Hornsby.

Absent-Excused.

Greer. Martin.

Patton. Russek.

Senate Simple Resolution No. 34.

Senator Hornsby sent up the following resolution:

Whereas, The Honorable John W. Pope, of Dallas, is on the floor of the Senate; and,

Whereas, Mr. Pope is one of the leading Democrats of the State of Texas, and who has long figured prominently in the activities of the Democratic Party in Texas; therefore, be it

Resolved by the Senate of Texas, That the Honorable John W. Pope be extended the privileges of the floor, and be invited to address the Senate.

HORNSBY.

Read and adopted.

Mr. Pope Speaks.

Chair appointed Senators Hornsby, Purl and Pollard to escort Mr. Pope to the platform.

The Chair introduced Senator Hornsby, who introduced Mr. Pope. Mr. Pope briefly addressed the Senate.

House Bill Referred.

H. B. No. 65, referred to Committee on State Affairs.

H. B. No. 41, referred to Committee on State Affairs.

H. B. No. 84, referred to Committee on Civil Jurisprudence.

H. B. No. 89, referred to Committee on Civil Jurisprudence.

Motion to Re-refer.

On motion of Senator Moore, H. B. Nos. 65 and 41 were re-referred from the Committee on State Affairs to the Committee on Civil Jurisprudence.

Recess.

On motion of Senator Hornsby, the Senate, at 12:10 o'clock p. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess, and was called to order by Lientenant Governor Edgar E. Witt.

Executive Session.

On motion of Senator Pollard, the Senate voted to go into executive session at 3:05 o'clock p. m.

At 3:05 o'clock p. m. the Chair announced that the hour for the executive session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Austin, Texas, Sept. 20, 1932. To the Honorable Edgar E. Witt, Lieutenant Governor, Senate Chamber, Austin, Texas.

Sir: We, your Committee on Governor's Nominations, to whom was referred the appointments of Honorable Charles I. Francis of Wichita Falls, Texas, as a member of the Board of Regents of the University of Texas; Honorable George E. Shelley of Austin, Texas, as a member of the State Library and Histori-Commission; and Honorable P. O. French of Fairfield, Texas, as District Attorney of the Seventyseventh Judicial District of Texas; having had same under consideration, beg leave to report that said appointments be in all things ratified and confirmed.

POLLARD, Chairman.
All confirmed.

House Bill No. 89.

The Chair laid before the Senate, by unanimous consent, the following bill:

H. B. No. 89, A bill to be entitled "An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as amended by Chapter 51 of the Acts of the Forty-first Legislature at its Regular Session, by providing that Ellis County shall be a part of the Tenth Supreme Judicial District and removing said county from the Fifth Supreme Judicial District; and providing for the appeal of cases from Ellis County to the Court of Civil Appeals for the Fifth Supreme Judicial District prior to January 1, 1933; and for the appeal of cases from Ellis County to the Court of Civil Appeals for the Tenth Supreme Judicial District subsequent to January 1, 1933."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report was adopted.
On motion of Senator Poage, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 89 was put
on its second reading, by the following vote:

Yeas-27.

Parr. Reck. Berkeley. Parrish. Patton. Cousins. Cunningham. Poage. DeBerry. Pollard. Gainer. Purl. Hardin. Rawlings. Holbrook. Small. Hopkins. Stevenson. Hornsby. Thomason. Williamson. Lov. Woodruff Moore. Neal. Woodul. Oneal.

Absent-Excused.

Greer. Russek. Martin. Woodward.

The bill was read second time and passed to third reading.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 89 was put on its third reading and final passage by the following vote:

Yeas-27.

Parr Beck. Berkeley. Parrish. Patton. Cousins. Poage. Cunningham. Pollard. DeBerry. Purl. Gainer. Rawlings. Hardin. Holbrook. Small. Stevenson. Hopkins. Hornsby. Thomason. Williamson. Lov. Woodruff. Moore. Neal. Woodul. Oneal.

Absent-Excused.

Greer. Russek. Martin. Woodward.

Read third time and finally passed by the following vote:

Yeas-27.

Hornshy. Beck. Loy. Rerkelev. Moore. Cousins. Cunningham. Neal. DeBerry. Oneal. Parr. Gainer. Parrisb. Hardin. Patton. Holbrook. Hopkins. Poage.

Pollard. Purl. Rawlings. Small. Stevenson. Thomason. Williamson. Woodruff. Woodul.

Absent—Excused.

Greer. Martin. Russek. Woodward.

Motion to Concur.

Senator Berkeley moved to concur in House amendments to S. B. No. The motion prevailed by the following vote:

Yeas-26.

Beck. Berkeley. Cousins. Cunningham. Gainer. Hardin. Holbrook. Hopkins. Hornsby. Lov. Moore.

Parr Parrish. Patton. Poage. Pollard. Purl. Rawlings. Small. Stevenson. Thomason. Williamson. Woodruff. Woodul.

Nays-1.

DeBerry.

Neal

Oneal.

Absent—Excused.

Greer. Martin.

Russek. Woodward.

Messages From the House.

Hall of the House of Representatives. Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 29, A bill to be entitled "An Act to authorize the creation of corporations formed wholly for the purpose of providing housing for families of low income and/or for reconstruction of slum areas; making provisions for the regulation by the governing bodies of municipali-ties in which the properties of such corporations may be situated as to rents, charges, capital structure, rate of return and areas and methods of operation; making provisions for the powers of such corporations and the ment of a judge thereof, fixing his fees and taxes to be paid thereby; compensation, making an appropria-

and making provisions for appeals by such corporations when dissatisfied with the fixing or changing of rents, charges, capital structures, rate of return and area and method of operation, and providing penalties for violation of regulatory measures. and declaring an emergency."

(With amendments.)

S. B. No. 49, A bill to be entitled "An Act amending Article 8225, Revised Civil Statutes of 1925, as amended by Chapter 27, General Laws, Fourth Called Session, Fortyfirst Legislature, as amended by Chapter 21, General Laws, Second Called Session, Forty-second Legislature, prohibiting mineral development on coastal lands used for navigation purposes so long as said lands are used for navigation purposes by any navigation district or by the United States Government, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY, Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt. President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 41, A bill to be entitled "An Act to amend Articles 6050, 6058, 6060, as amended, 6066, as amended, Revised Civil Statutes of Texas, 1925, and by adding Articles 6058-a and 6058-b, so as to more clearly define gas utility and to prohibit the raising of gas rates in unincorporated towns and in incorporated towns of less than 500 population, and of rural subscribers without notice and hearings; to authorize the Railroad Commission of Texas to make appraisals and audits in incorporated towns and cities of between 500 and 30,000 population; to provide for the necessary funds and organization in carrying out the provisions of this Act, and declaring an emergency."

(With amendments.)

S. B. No. 39, A bill to be entitled "An Act creating the Special District Court of Rusk and Gregg Counties, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appoint-

tion therefor, prescribing his powers and duties, providing for the transfer of cases from the 4th Judicial District of Rusk County and from the 124th Judicial District of Gregg County; and from the Special District Court of the 4th Judicial District of Rusk County and the 124th Judicial District of Gregg County; providing for the District Clerks of Rusk and of Gregg Counties and their successors in office, to be the clerks for said special district court in their respective counties; providing that the District Attorney of the District Court of Rusk County and the District Attorney of Gregg County, shall represent the State in said special district court in their respective counties, without extra compensation from said special district court in their respective counties; providing a seal for said special district court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY, Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on S. B. No. 44, by a vote of 103 years and 5 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY, Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 86, A bill to be entitled "An Act amending Chapter 308 of the General Laws of the State of Texas passed by the Regular Session of the Forty-second Legislature, adjusting the compensation for county treasurers in counties of population of not less than two hundred fifty thousand (250,000), where the

treasurer of such counties prepares the pay rolls, makes payments thereunder in cash, and acts as paymaster for the county, in addition to the regular duties as county treasurer, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY, Chief Clerk, House of Representatives.

Motion to Concur.

Senator Purl moved to concur in the House amendment to S. B. No. 42. The motion prevailed.

Mr. R. R. Smith Speaks.

Senator Purl received unanimous consent to have Mr. R. R. "Railroad" Smith of Jourdanton address the Senate. Mr. Smith briefly addressed the Senate.

Motion to Concur.

Senator Loy moved to concur in House amendments to S. B. No. 41. The motion prevailed by the following vote:

Yeas-28.

Beck. Oneal. Berkeley. Parr. Cousins. Parrish. Cunningham. Patton. DeBerry. Poage. Gainer. Pollard. Greer. Purl. Hardin. Rawlings. Holbrook. Small. Hopkins. Stevenson. Hornsby. Thomason. Loy. Williamson. Moore. Woodruff. Neal. Woodul.

Absent-Excused.

Martin. Russek. Woodward.

House Bill Referred.

H. B. No. 86, referred to Committee on State Affairs.

S. C. R. No. 11.

Senator Rawlings sent up the following resolution:

whereas, There are a number of bills pending on the calendars of both Houses which should have the attention of the Legislature at this time; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the joint rule known as the "24 Hour Rule", preventing the consideration of any bill within twenty-four hours of adjournment, be and the same is hereby suspended until noon Wednesday, September 21, 1932.

RAWLINGS.

The resolution was read and, on motion of Senator Rawlings, laid on the table subject to call.

Motion to Re-refer.

Senator Moore moved to withdraw H. B. No. 65 from the Committee on Civil Jurisprudence and to re-refer it to the Committee on State Affairs.

The motion prevailed.

H. C. R. No. 15.

The Chair laid before the Senate: H. C. R. No. 15, Requesting the State Highway Commission to postpone building of State Highway No. 89.

The resolution was read.

Senator Hardin moved to refer the resolution to the Committee on State Affairs.

Senator Woodruff moved to table the motion to refer. The motion to table was lost.

Senator Purl moved as a substitute for the motion to refer that further consideration of the resolution be postponed indefinitely.

The motion to postpone was lost by the following vote:

Yeas-11.

Beck. Oneal.
Cousins. Pollard.
DeBerry. Purl.
Gainer. Williamson.
Greer. Woodul.
Holbrook.

Nays-13.

Berkeley. Poage.
Hardin. Rawlings.
Hornsby. Small.
Moore. Stevenson.
Neal. Thomason.
Parr. Woodruff.
Patton

Absent.

Cunningham. Loy. Hopkins. Parrish.

Absent-Excused.

Martin. Woodward. Russek.

Senator Moore moved as a substitute that the resolution be referred to the Committee on Highways and Motor Traffic.

The substitute motion was adopted.

The motion as substituted pre-vailed.

House Bill No. 65.

Senator Moore moved to take up H. B. No. 65.

Senator Woodul moved to re-commit the bill to the Committee on State Affairs.

The Chair, Lieutenant Governor Edgar E. Witt, held that the motion was out of order until the constitutional rule was suspended to permit the bill to be taken up.

Adjournment.

Senator Holbrook moved to adjourn until 10 o'clock tomorrow morning. The motion prevailed by the following vote:

Yeas-11.

Cousins. Stevenson.
Gainer. Thomason.
Holbrook. Williamson.
Neal. Woodruff.
Oneal. Woodul.
Poage.

Nays—10.

Berkeley. Loy.
DeBerry. Moore.
Greer. Parr.
Hardin. Purl.
Hornsby. Rawlings.

Absent.

Beck. Patton. Cunningham. Pollard. Hopkins. Small. Parrish.

Absent—Excused.

Martin. Woodward. Russek.

At 5:25 o'clock p. m. the Senate adjourned.

APPENDIX.

Petitions and Memorials.

Hon. Edgar E. Witt, President of the Senate, Senate Chamber.

Dear Governor Witt:

It is with sincere gratitude that I acknowledge the receipt of a copy of the resolution of respect adopted by your honorable body in memory of Mr. Marrs. Be assured that this action on the part of the Senate is deeply appreciated by the family.

Sincerely yours, MRS. S. M. N. MARRS.

Committee on Enrolled Bills.

Committee Room, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 48 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Vice-Chairman.

Committee Room, Austin, Texas, Sept. 19, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 34 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Vice-Chairman.

Committee on Engrossed Bills.

Committee Room, Austin, Texas, Sept. 19, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 49 carefully examined and compared, and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 84, A bill to be entitled "An Act preventing punishment for violation of illegal injunction, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WOODUL, Vice-Chairman.

Committee Room, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 89, A bill to be entitled "An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as amended by Chapter 51 of the Acts of the 41st Legislature at its Regular Session, by providing that Ellis County shall be a part of the 10th Supreme Judicial District and removing said county from the 5th Supreme Judicial District; and providing for the appeal of cases from Ellis County to the Court of Civil Appeals for the 5th Supreme Judicial District prior to January 1, 1933; and for the appeal of cases from Ellis County to the Court of Civil Appeals for the 10th Supreme Judicial District subsequent to January 1, 1933."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODUL, Vice-Chairman.

Committee Room, Austin, Texas, Sept. 20, 1932. Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 65, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of One Dollar (\$1.00) only, etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MOORE, Chairman.

In Memory

Mrs. Sarah Jane Garner

Senate Simple Resolution No. 35.

Senator DeBerry sent up the following Resolution:

Whereas, Almighty God in His wisdom has called from labor to rest Mrs. Sarah Jane Garner of Detroit, Texas, mother of John Nance Garner, the Democratic vice-presidential nominee; and,
Whereas, Through her long and useful life as one of the pioneer citizens of Texas she endeared herself to all who knew her; and,
Whereas, She was one of those noble souls who, with her husband, John Nance Garner, Senior, composed that small band of patriots who blazed the way for present day civilizatiton in Texas, enduring the hardships, and buffeting the storms which made the way for our present blessings.
Sarah Jane Garner was born in a log cabin on Blossom Prairie in Red River County, Texas, a short time after her parents had emigrated to this State. Her father, Mark Guest, was a native of Tennessee, and came to

River County, Texas, a short time after her parents had emigrated to this State. Her father, Mark Guest, was a native of Tennessee, and came to Texas when it was under the dominion of the Mexican Government. He married a young lady by the name of Dickson at or near the present site of Clarksville and later established the home where the subject of this sketch was born. Sarah Jane Garner grew to womanhood in that sparsely settled region and there married John Nance Garner, Senior. It was in this same region that John Nance Garner, Speaker of the American House of Representatives and Democratic vice-presidential nominee was born, together with six other children who formed the happy family.

In her declining years perhaps the greatest joy she received from time to time was in observing the steady rise of her son, John Nance Garner, Junior, to prominence in the political life of the Nation. After serving for thirty years in the House of Representatives and when he was elevated to the Speakership she said to her friends that she was not surprised and that

the Speakership she said to her friends that she was not surprised and that she expected no less of John, and that same expression came from her lips after he received the nomination for the vice-presidency. She had expressed the hope several times during the recent past that she would live

expressed the hope several times during the recent past that she would live to see him elevated to that office; and,
Whereas, It was not given her by Providence to see that hope fulfilled the Senate of Texas extends it as its own and trusts that it will be fulfilled.
Whereas, The removal of Sarah Jane Garner from this life has brought to a close another of those saintly mothers who wrought faithfully in the matter of setting the feet of her children in the paths of high endeavor and

true righteousness; therefore, be it
Resolved by the Senate of Texas, That we extend our sorrow to the
Speaker of the House of Representatives and to each of his brothers and

Resolved Further, That a copy of these resolutions be mailed to each of the children of Mrs. Sarah Jane Garner with the hope and belief that she will always live in their affections and a copy of this resolution be printed on a special page in the Senate Journal.

DeBERRY HOLBROOK, BECK, BERKELEY, COUSINS, CUNNINGHAM, GAINER, GREER, HORNSBY, HARDIN HOPKINS.

LOY MARTIN, MOORE, NEAL, ONEAL, PARR, PARRISH, PATTON, POAGE, POLLARD. PURL.

RAWLINGS. RUSSEK, SMALL, STEVENSON, THOMASON, WILLIAMSON, WOODRUFF, WOODUL, WOODWARD, WITT, Lieut.-Gov.

Read and adopted unanimously by a rising vote.